

# Board of Education Agenda Item

Item: \_\_\_\_\_ D. \_\_\_\_\_

Date: \_\_\_\_\_ January 10, 2007 \_\_\_\_\_

**Topic:** First Review of Proposed Addition to the Board-Approved List of Supplemental Educational Services Providers Under the *No Child Left Behind Act of 2001*

**Presenter:** Ms. Roberta Schlicher, Director, Office of Program Administration and Accountability

**Telephone Number:** 804-225-2870

**E-Mail Address:** [Roberta.Schlicher@doe.virginia.gov](mailto:Roberta.Schlicher@doe.virginia.gov)

## Origin:

\_\_\_\_\_ Topic presented for information only (no board action required)

☒ Board review required by

\_\_\_\_\_ ☒ State or federal law or regulation

\_\_\_\_\_ Board of Education regulation

\_\_\_\_\_ Other: \_\_\_\_\_

☒ Action requested at this meeting \_\_\_\_\_ Action requested at future meeting: \_\_\_\_\_ (date)

## Previous Review/Action:

\_\_\_\_\_ No previous board review/action

☒ Previous review/action

date October 26, 2006

action Revised list of Supplemental Educational Services Providers

**Background Information:** The *No Child Left Behind Act of 2001* (NCLB) requires Title I schools that do not meet the state's adequate yearly progress (AYP) targets for three consecutive years in the same subject area to offer a choice of supplemental educational services to parents of eligible children. Virginia has schools that are offering supplemental educational services during the 2006-2007 school year. These services must be offered to eligible students until the identified schools exit Title I School Improvement.

Supplemental educational services are tutoring and academic enrichment services that are provided in addition to daily instruction outside of the regular school day. A supplemental educational services provider can be a nonprofit entity, a for-profit agency, or a school division. The services must be of high quality, research-based, and specifically designed to increase the academic achievement of eligible children in mastering the English and mathematics Standards of Learning and achieving proficiency on Standards of Learning tests.

Under the federal law, the state educational agency must develop and apply objective criteria to identify potential supplemental education services providers. The criteria must include the ability of a provider to show a demonstrated record of effectiveness in increasing the academic proficiency of students in subjects relevant to meeting the state academic content and student achievement standards. The criteria allow programs that do not have a record of effectiveness to seek conditional approval. The *No Child Left Behind Act of 2001* requires states to identify and maintain a list of supplemental educational

services providers. The Board is required to maintain this list of approved providers across the state, by school division, for use by parents for selection of services. Potential providers must be given annual notice of the opportunity to provide supplemental educational services and the procedures for obtaining approval from the state educational agency.

**Summary of Major Elements:** On July 25, 2002, the Board of Education adopted the NCLB criteria for the approval of supplemental educational services providers. The criteria specified that providers:

- demonstrate the ability to provide parents and the local education agency (LEA) with information on the progress of children in a format and language that parents can understand;
- document a track record of effectiveness;
- ensure that the instruction provided and the content used are consistent with the instruction and content used by the LEA and are aligned with the state's student academic achievement standards;
- meet all federal, state, and local health and safety and civil rights laws;
- ensure that all instruction and content are neutral and non-ideological; and
- offer services within a financially sound management structure.

At its September 2002 meeting, the Board of Education approved the initial list of recommended supplemental educational services providers and recommended revisions to the list in subsequent meetings. Subsequent revisions to the initial list have been made on a regular basis. As shown below, the department recommends adding one provider to Virginia's Board-approved list. Provider contact information is attached.

**Proposed Provider Added**

PROVIDER	FOCUS AREA AND GRADE LEVEL	SERVICE AREA
The Learning Curve, Inc.	Reading/Language Arts (K-5); Mathematics (K-8); Conditional Approval Mathematics (9-10)	Hampton City, Newport News City, Petersburg City, and South Hampton Roads

**Superintendent's Recommendation:** The Superintendent of Public Instruction recommends that the Board of Education waive first review and approve the revised list of supplemental educational services providers.

**Impact on Resources:** School divisions with identified Title I schools in School Improvement are required to set aside an amount equal to 20 percent of the local educational agency's Title I, Part A, allocation for the provision of supplemental educational services and other Title I School Improvement requirements, as appropriate.

The provisions of the *No Child Left Behind Act of 2001* have an impact on the agency's staff resources. This impact can be absorbed through the agency's existing resources at this time. If the agency is required to assume additional duties related to review and approval of supplemental educational services providers, other services will be impacted.

**Timetable for Further Review/Action:** The solicitation and review of potential supplemental educational services providers are ongoing.

**PROPOSED ADDITIONAL SUPPLEMENTAL EDUCATIONAL SERVICES PROVIDER**  
**Recommended: January 10, 2007**

**Providers Added**

<b>Name of Provider</b>	<b>Contact Information</b>	<b>Focus and Grade Levels</b>	<b>Provider Service Areas</b>
The Learning Curve, Inc.	Mark Malone 1252 Crystal Lake Circle Virginia Beach, Virginia 23451 Phone: (757) 641-5535 E-mail: <a href="mailto:Mark.E.Malone@att.net">Mark.E.Malone@att.net</a>	Reading/Language Arts (K-5); Mathematics (K-8); Conditional Approval Mathematics (9-10)*	Hampton City, Newport News City, Petersburg City, and South Hampton Roads

\*A conditional approval refers to a newly-developed program that does not have a record of effectiveness to draw upon.